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Security Council Committee established pursuant to resolution 1737 (2006)

Letter dated 1 May 2008 from the Permanent Representative of Belgium to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Belgium to the United Nations presents its compliments to the members of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to submit Belgium's report pursuant to paragraph 13 of resolution 1803 (2008), on the steps the Government has taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 of the resolution (see annex).

(*Signed*) Johan **Verbeke**
Ambassador
Permanent Representative

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Annex to the letter dated 1 May 2008 from the Permanent Representative of Belgium to the United Nations addressed to the Chairman of the Committee

[Original: English]

Report of Belgium to the Security Council Committee established pursuant to resolution 1737 (2006)

Pursuant to paragraph 13 of Security Council resolution 1803 (2008), I have the honour to inform you about the steps taken by the Belgian Government to implement the measures imposed by paragraphs 3, 5, 7, 8, 9, 10 and 11 of the above-mentioned resolution.

As stated in its previous report to the Security Council Committee established pursuant to resolution 1737 (2006), Belgium, as a member State of the European Union (EU), implements the provisions of United Nations Security Council resolutions that fall within the scope of the competence of the EU via EU Common Positions and Regulations.

In accordance with resolution 1737 (2006), the Council adopted Common Position 2007/140/CFSP of 27 February 2007. In accordance with resolution 1747 (2007), this Common Position was amended by Common Position 2007/246/CFSP of 23 April 2007. Council Regulation (EC) No. 423/2007 of 19 April 2007 implements the restrictions laid down in Council Common Position 2007/140/CFSP within the scope of the Treaty establishing the European Community, and was itself amended by Council Regulation (EC) No. 441/2007 of 20 April 2007 and by Council Decision 2007/242/EC of 23 April 2007.

Following the adoption of Security Council resolution 1803, the EU immediately initiated the preparation of legal instruments implementing the provisions of resolution 1803. On 10 March 2008, the Council of the European Union had an exchange of views on this matter.

A Common Position further amending Common Position 2007/140/CFSP is currently under preparation. On 11 March 2008, the European Commission has adopted Regulation (EC) No. 219/2008, amending Council Regulation (EC) No. 423/2007 concerning restrictive measures against Iran with regard to the list of persons and entities subject to these restrictions. Belgium is implementing its other obligations under resolution 1803 through its existing national legislation and instruments.

With respect to restrictions on entry into or transit through territories referred to in paragraphs 3 and 5 of resolutions 1803 (2008):

> The list of persons designated in annex I of the new resolution 1803 was to a large extent already covered by annex II of Common Position 2007/140/CFSP (as amended by Common Position 2007/246/CFSP). This latter contains the names of persons that are, as well as those designated by resolutions 1737 (2006) and 1747 (2007) in annex I, prevented from entry into or transit through the member States of the European Union (by using the same criteria as those used by the Security Council or sanctions Committee (1737)).

– Prior authorization is required by the competent authority of the member State for the export of all goods and technologies not covered in annex I which could contribute to enrichment-related, reprocessing or heavy water-related activities, to the development of nuclear weapon delivery systems or to the pursuit of activities related to other topics about which the International Atomic Energy Agency (IAEA) has expressed concerns or identified as outstanding. These goods and technologies are listed in annex II to the Regulation.

In Belgium, a licence is required for trans-shipment of any dual-use goods pursuant to the Ministerial Decree of 28 September 2000 implementing EU regulation 1334/2000 on exports of dual use goods.

With respect to paragraph 9 of resolution 1803 (2008), which calls upon all States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran:

Belgian export credit agencies were informed by a letter of 1 April 2008 about this provision. In the preliminary policy review, the obligations arising from resolution 1803 (2008) preclude the provision of bilateral financial support for exports.

With respect to paragraph 10 of resolution 1803 (2008), which calls upon all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat:

The Belgian Federal Treasury informed the banking sector (Febelfin) on this requirement by a letter of 1 April 2008.

With respect to paragraph 11 of resolution 1803 (2008), which calls upon all States to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line:

Belgian Customs Officers can visit vessels in transit and report their findings. As mentioned, a licence is required for trans-shipment of any dual-use goods pursuant to the Ministerial Decree of 28 September 2000 implementing EU regulation 1334/2000 on exports of dual use goods.